

Message Text

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71

ACTION L-03

INFO OCT-01 SCA-01 JUSE-00 SNM-02 ISO-00 SS-20 CIAE-00

INR-10 NSAE-00 RSC-01 DRC-01 /039 W

----- 092635

P R 101730Z JUL 74

FM AMEMBASSY SAN JOSE

TO DEA HQS WASHDC PRIORITY

INFO SECSTATE WASHDC 7508

AMEMBASSY MEXICO

AMEMBASSY BUENOS AIRES

AMEMBASSY CARACAS

AMEMBASSY BOGOTA

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AMEMBASSIES FOR DEA

E.O. 11652: N/A

TAGS: SNAR, CS

SUBJECT: EXTRADITION OF DEA DEFENDENT ELMO VALENCIA
FROM COSTA RICA

REF: DEA 5314 NOTAL

1. DEA REPRESENTATIVE NOT AT POST.

2. PLEASE CLARIFY WHETHER DEA SEEKING FORMAL EXTRA-
DITION OR DEPORTATION TO U.S. AS IN CASE OF ANGEL SEGUNDO
CORONEL DEL TORO, ANOTHER DEA DEFENDENT. IN EMBASSY VIEW
FORMAL EXTRADITION COULD BE MOST DIFFICULT GIVEN FACT
TREATY OF 1923 COVERS NEITHER NARCOTICS OFFENSES NOR
CONSPIRACY, AND RECENT ENACTMENT OF INTERNAL EXTRADI-
TION LAW FURTHER MUDDIED THE WATERS. QUESTION OF LOCUS
OF THE CRIME MIGHT ALSO BE DIFFICULT IN ANY EXTRADITION
ATTEMPT.

3. MINISTER OF PUBLIC SECURITY CHARPENTIER, AT TIME
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OF ASSUMING HIS POST LAST MAY, TOLD EMBASSY OFFICER

INFORMALLY HE WISHED AVOID FORMAL EXTRADITION PROCEEDINGS
IN NARCOTICS CASES, BUT WOULD BE WILLING TO DEPORT
FUGITIVES TO U.S. OR ELSEWHERE FOR PROSECUTION. THIS
HAS NOT BEEN TESTED.

4. WHETHER COSTA RICA AUTHORITIES WOULD INSIST
ON PROSECUTION HERE OR WOULD BE WILLING WAIVE JURISDICTION
AND RELEASE VALENCIA TO U.S. IN SITUATION POSED REFTEL
WOULD DEPEND ON EXACT CIRCUMSTANCES OF ARREST AND DEGREE
COORDINATION WITH APPROPRIATE COSTA RICAN AUTHORITIES
BEFOREHAND. THIS CANNOT BE ANSWERED WITHOUT CONSULTATION
WITH GOCR AUTHORITIES. IN ANY CASE, PROTECTIVE FEATURES
IN COSTA RICAN LAW AND GROWING SENSITIVITY HERE TO SUMMARY
DEPORTATIONS MIGHT BE EXPLOITED BY DEFENDENT'S ATTORNIES
TO FRUSTRATE DEPORTATION ATTEMPT.

5. EMBASSY STRONGLY RECOMMENDS THAT DEA CONSULT
WITH DEPARTMENT OF STATE ON QUESTIONS RAISED REFTEL PRIOR
TO TAKING FURTHER ACTION SINCE THERE HAS BEEN CONSIDERABLE
RECENT EXPERIENCE WITH EXTRADITION TREATY.
LANE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DRUG TRAFFIC, EXTRADITION, EXPULSION, PRISONERS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: martinml
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974SANJO002628
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740185-1080
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740761/aaaacabp.tel
Line Count: 82
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: DEA 5314 NOTAL
Review Action: RELEASED, APPROVED
Review Authority: martinml
Review Comment: n/a
Review Content Flags:
Review Date: 04 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 SEP 2002 by shawdg>; APPROVED <19 FEB 2003 by martinml>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION OF DEA DEFENDENT ELMO VALENCIA FROM COSTA RICA
TAGS: SNAR, CS, US, DEA
To: DEA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005